

REMARKS

This application has been reviewed in light of the Office Action dated September 21, 2009. Claims 1–20 are pending in the application. The Examiner's reconsideration of the rejection in view of the amendments and the following remarks is respectfully requested.

Preliminarily, Applicant notes with appreciation the Examiner's determination that claims 7, 9, 13, and 19 include patentable subject matter. The Examiner objects to these claims as depending from rejected base claims. However, because Applicant believes that the base claims in this case are patentable for the reasons described below, it is respectfully asserted that this objection is moot.

Claims 1–6, 8, 10–12, 14–18, and 20 stand rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Publication No. 2002/0059434 to Karaoguz et al. (hereinafter “Karaoguz”) in view of U.S. Patent No. 5,903,832 to Seppanen et al. (hereinafter “Seppanen”).

Claim 1 recites, *inter alia*, “memory which stores information associating networks with individual user operations which can be performed on each network using the transceiver.” Claim 10 recites analogous language in its “configuring” step. The Examiner concedes that Karaoguz does not disclose this element, but asserts instead that Seppanen does disclose it as memory 24.

The Examiner asserts that memory 24 stores data/messages for later display. However, such data storage does not represent information that associates networks with individual user operations. Rather than representing an association between a user operation and a network, the stored information is instead the *content* which such an operation works on. For example, rather than storing an association between data downloading and a person's home network, the cited

portion of Seppanen merely refers to the downloaded data itself. It is irrelevant for Seppanen's purposes *which* network provided the data.

Indeed, although Seppanen is aware that differing networks provide differing services and even allows a user to select a network based on the desired service, Seppanen nonetheless fails to disclose or suggest storing an association between an operation and a network. Consider, for example, column 11, lines 36–42. Seppanen will store a selected service to use when searching for networks, but the reference does not make any mention of storing an association between that selected service and a particular network. Indeed, Seppanen explicitly states, “It should be noted, however, that the selected service is needed only when selecting a network by service and, as a result, may not need to be stored in memory 24.” Seppanen uses the service information solely for the purpose of connecting to a network upon a user’s request.

This distinction can perhaps be better understood by considering the purpose of Seppanen. Seppanen is directed to finding a network for establishing a connection, but has no awareness of what networks might be more appropriate for particular services. For example, Seppanen knows that certain networks have data services and certain networks do not. Seppanen therefore is capable of connecting to a data-enabled network when the user requests that it do so. However, Seppanen has no way of automatically associating certain functions with certain networks. So if, for example, a user tells Seppanen to find a data-enabled network, Seppanen will merely connect to the first available data network. Seppanen does not provide a user with any means for selecting a specific network to use, such that the device will wait until it is in range of that network before acting. A practical effect of this is that a user of Seppanen’s device will have no way of directing the device to only download data when in range of a low-cost

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service.

It is therefore respectfully asserted that Karaoguz and/or Seppanen, taken alone or in combination, fail to disclose or suggest all of the elements of claims 1 and 10. It is therefore believed that claims 1 and 10 are in condition for allowance. Because claims 2–6, 8, 11–12, 14–18, and 20 depend from claims 1 and 10, it is believed that all of claims 1–6, 8, 10–12, 14–18, and 20 are in condition for allowance. Reconsideration of the rejection is earnestly solicited.

In view of the foregoing amendments and remarks, it is respectfully submitted that the claim now pending in the application is in condition for allowance. Early and favorable reconsideration of the case is respectfully requested.

It is believed that no additional fees or charges are currently due. However, in the event that any additional fees or charges are required at this time in connection with the application, they may be charged to applicant's Deposit Account #07-0832.

Respectfully submitted,

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